

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL HYDE)
Plaintiff,)
v.) Civil Action No. 04-12429-RWZ
STATE OF MASSACHUSETTS ET AL.,)
Defendants.)

)

**MOTION TO ENLARGE THE TIME
FOR FILING A RESPONSIVE PLEADING**

The defendants, State of Massachusetts, Governor Mitt Romney, Attorney General Thomas F. Reilly, Norfolk District Attorney William R. Keating and Assistant District Attorney Jason Bolio, through counsel, respectfully move this Court to enlarge the time in which to file an answer or other responsive pleading to the above-captioned civil rights action to June 29, 2005.

As grounds therefor, the defendants' counsel states that she is responsible for a large caseload of post-conviction matters including numerous federal habeas corpus petitions and civil rights actions in the federal courts, as well as direct criminal appeals and civil actions in the state courts. Conflicting litigation deadlines preclude an earlier response to the complaint.

The undersigned attorney's litigation responsibilities in the next several weeks include: researching and drafting an brief in the Massachusetts Appeals Court in a criminal appeal, *Commonwealth v. Senildo Berroa*, Massachusetts Appeals Court No. 2004-P-1758; researching and drafting dispositive memoranda of law on the merits in federal

habeas corpus petitions: *Desrosier v. Bissonnette*, USDC C.A. No. 03-40194-FDS; *Williams v. Thompson*, USDC C.A. No. 04-12642-DPW; and *Pina v. Maloney*, USDC 02-12441-MEL; filing answers and supplemental answers in federal habeas petitions, *Pelletier v. Russo*, USDC C.A. No. 05-30014-MAP; *Ali v. Reilly*, USDC 04-30005-KPN and *Lepper v. Russo*, Civil Action No. 04-11879-MLW; filing an answer in civil rights action, *Schofield v. Green et al.*, USDC 04-12484-WGY; and researching, drafting opposition to an expected motion for evidentiary hearing and discovery in *Delgado v. Dennehy*, USDC C.A. No. 04-30124-MAP.

In addition, there are many responsibilities that must be undertaken in connection with other active cases including contacting counsel and officials in corrections, district attorneys' and clerks' offices; gathering and reviewing files, records, briefs and other documents; evaluating the claims asserted, and researching and drafting possible defenses.

WHEREFOR, the defendants respectfully move this Court to enlarge the time for filing an answer or other responsive pleading in the above-captioned petition to June 29, 2005.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

____ I hereby certify that a true copy of the above document was served upon the following plaintiff, pro se, by first class mail, postage pre-paid, on April 7, 2005, at the following address:

**Michael Hyde, pro se
148 Brickel Rd.
Stoughton, MA 02072**

/s/Annette C. Benedetto
**Annette C. Benedetto
Assistant Attorney General**

